

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

WESLEY ELDER DeFREITAS,)	
)	
Movant,)	
)	
v.)	CV416-229
)	CR415-098
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

Movant Wesley DeFreitas seek a copy of “the search warrant executed on May 19th 2014” at his business, Warriors Gear, for use in his 28 U.S.C. § 2255 motion. Doc. 10. Though he explains that the document was mentioned by a witness at his Fed. R. Cr. P. 11 plea hearing, he does not specify why he *needs* the document.

After a § 2255 motion or habeas petition is filed, a petitioner is generally “not entitled to discovery as a matter of ordinary course” and must instead demonstrate “good cause.” *Arthur v. Allen*, 459 F.3d 1310, 1310 (11th Cir. 2006); *see also* Rules 1(b) and 6(a) of the Rules Governing § 2254 Cases; Rule 6(a) of the Rules Governing Section 2255 Proceedings; *United States v. Hollis*, 2010 WL 892196 (D. Ak. Mar. 10, 2010) (denying document unsealing without a relevancy showing because such production

would just be a "fishing expedition for the sake of turning up new potential 2255 claims).

DeFreitas has not made any need-based showing for this document beyond his vague, conclusory belief that it may be of some use to him. *See* doc. 10. His request is therefore denied. *See Hands v. United States*, 2016 WL 4995074 at *3 (E.D.N.C. Sept. 19, 2016).

Accordingly, Wesley DeFreitas' motion for a copy of the search warrant executed at Warriors Gear is DENIED. Doc. 10.

SO ORDERED, this 17th day of February, 2017.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA